

COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Small Entity)

Docket No.
ML-0414DIV

In Re Application Of: James M. Zavislak

JAN 03 2006

Application No.	Filing Date	Customer No.	Group Art Unit	Confirmation No.	
09/658,736	09/11/2000	Ruth S. Smith	024,902	3737	3878

Invention: SYSTEM FOR CONFOCAL IMAGING WITHIN DERMAL TISSUE

COMMISSIONER FOR PATENTS:

This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of
06/30/2005 in the above-identified application.

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated 06/30/2005 finally rejecting Claim(s) 1-3, 6, 19, 20, 23, 26-36 and 42-48

Applicant(s) hereby request(s) an extension of time of (check desired time period):

One month Two months Three months Four months Five months

from: 09/30/2005 until: 12/30/2005
Date

The fee for the Notice of Appeal and Extension of Time has been calculated as shown below:

Fee for Notice of Appeal: \$250.00

Fee for Extension of Time: \$510.00

TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME: \$760.00

The fee for the Notice of Appeal and extension of time is to be paid as follows:

- A check in the amount of \$760.00 for the Notice of Appeal and extension of time is enclosed.
- Please charge Deposit Account No. _____ in the amount of _____
- The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1101
3 1 01/04/2006 HGUTEMA1 00000106 09658736
- Any additional filing fees required under 37 C.F.R. 1.16. 01 FC:2401 250.00 OP
- Any patent application processing fees under 37 CFR 1.17. 01/04/2006 HGUTEMA1 00000106 09658736
- If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 50-1101 02 FC:2253 510.00 OP
- Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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JAN 08 2006

PATENT & TRADEMARK OFFICE
EXAMINER

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TO THE COMMISSIONER FOR PATENTS:

This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:



Signature

Dated: December 29, 2005

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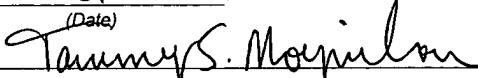
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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

12/29/05

(Date)


Signature of Person Mailing Correspondence

Tammy S. Moynihan

Typed or Printed Name of Person Mailing Correspondence

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